

TOURISM, ARTS, AND HERITAGE CABINET
Kentucky State Fair Board
(As Amended at ARRS, December 9, 2021)

303 KAR 1:100. Exposition Center grounds; sales and dissemination of real property, fixtures and goods, solicitation of contribution or sales during annual State Fair; rental of space; use of sound amplification equipment.

RELATES TO: KRS 247.145

STATUTORY AUTHORITY: ~~KRS 247.145~~[KRS Chapter 13A]

NECESSITY, FUNCTION, AND CONFORMITY: **KRS 247.145 authorizes the Kentucky State Fair Board to promulgate administrative regulations as are necessary to maintain decency and good order; protect the peace or safety of the general public; protect the public interest, convenience, or necessity; or govern the operation, maintenance, or use of property under its custody and control. This administrative regulation establishes requirements relating to the**~~[To regulate]~~ sale and dissemination of real property, fixtures and goods, solicitation of contributions and sales, and use of sound amplification equipment on the Kentucky Fair and Exposition Center grounds during the annual Kentucky State Fair in order to insure orderly movement of crowds, ~~insure~~**and** the safety and convenience of state fair patrons, and provide exhibitors with equal and adequate access.

Section 1. Administrative Regulation 303 KAR 1:080 ~~shall~~**will** not apply to the Kentucky Fair and Exposition Center grounds during the annual Kentucky State Fair.

Section 2. During the annual Kentucky State Fair, ~~a~~**no** person shall ~~not~~ make sales or distribution of real property, fixtures or goods, including ~~[but not limited to]~~ all printed or written material;~~;~~ solicit for either contributions or sale;~~;~~ make sales promotions or sales demonstrations;~~;~~ carry placards;~~;~~ or post, distribute, or display signs or any other printed or written materials, except from within the confines of a booth or fixed location rented from the:

~~(1) [Kentucky State Fair] Board;~~ or

~~(2) The[, in the case of locations in the carnival midway area, from the Fair] board's lessee of the carnival midway area.~~

Section 3. A rental ~~shall~~**will** be charged for each booth or fixed location assigned and leased from the ~~[Fair]~~ board in accordance with this administrative regulation, and ~~the~~**such** rental shall be set according to the size;~~;~~ location;~~;~~ and use, **such as** ~~[sales, nonsales commercial, or nonprofit,]~~ of the space assigned.

Section 4. The spaces available from the ~~[Fair]~~ board for booths or fixed locations ~~shall~~**will** be assigned on a first come, first served basis after May 1 of each year, except that:

(1) ~~(a)~~ The sponsor of an event during the state fair may be authorized by his contract with the ~~[Fair]~~ board to sell or distribute ~~[his]~~ goods specified in the contract from locations in the area of the event ~~that~~**which** are specified in the contract;

~~(b)(2)~~ The ~~[Fair]~~ board ~~may~~**reserves the right to** limit the assignment of booths and locations in designated "theme" areas of the state fair:

1. To applicants whose proposed design and use of the booths or locations conform to the ~~[Fair]~~ board's specifications and theme for the respective theme areas;~~;~~ and

2. For[, in the case of] the Made in Kentucky Showcase, to applicants displaying goods of the required origin; **and**

~~(c)(3)~~ The ~~[Fair]~~ board ~~may~~~~[reserves the right to]~~ limit to the civic midway area the number and location of vendors who will sell items that are substantially the same. ~~[items;]~~

~~(2)(4)~~ In order to attract and maintain high-quality concessions and exhibits, the executive vice president may annually, at a time on or before April 30 of each year, extend to the renters of space from the prior year's state fair the opportunity to renew their space rental contracts for the next state fair. This renewal shall be~~[on the basis of a renewal]~~ for the same space, purpose, and ownership as in the prior year. ~~If~~~~[Even when]~~ renewals are ~~[so]~~ offered to renters from the prior year, the ~~[Fair]~~ board shall not be required ~~[reserves the right not]~~ to renew any space rental contract with a~~[where the]~~ renter who has violated any administrative regulation of the ~~[Fair]~~ board or any state or federal law in previous use of the booth.

Section 5. ~~[No]~~ Sales or distribution of food or drink shall not be made from booths or fixed locations rented from the ~~[Fair]~~ board under this administrative regulation, unless the rental contract specifically allows these types of~~[such]~~ sales or distribution.

Section 6. Unless specifically authorized by the ~~[Fair]~~ board, ~~a~~~~[no]~~ person shall not use ~~[on the grounds of the Kentucky Fair and Exposition Center during the state fair]~~ any sound amplification equipment or any device with a speaker emitting loud sound on the grounds of the Kentucky Fair and Exposition Center during the state fair.

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